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The Maryland House of Delegates
ANNAPOLIS, MARYLAND 21401

Judiciary Committee

Thursday, March 2, 2023

HB698 - Juvenile Law - Juvenile Court Jurisdiction - Age of Child
SUPPORT

On January 5th, a 12-year-old brought a handgun, clip, and ammunition to a middle school on Fort Meade. Then on January 6th, the Anne Arundel County Police Department held a press conference and highlighted that “Due to the new Juvenile Justice Reform, House Bill 459 voted into law; there are NO APPLICABLE CHARGES. Since the law took effect on June 1, 2022, we have had dozens of cases where juvenile suspects were located, identified, and unable to be charged.”

The Anne Arundel County Police Department's released a redacted report outlining the various crimes that could not be charged due to the Juvenile Justice Reform legislation. Disappointing statistics from report reveal that there was:

- A total of 238 suspects between the ages of 4 and 12 - 30% of them are females
- 100 of the incidents took place in schools
- The cases include assaults, weapons violations, intimidation, harassment, drug charges, theft, burglary, sex offenses, threats, motor vehicle thefts, animal abuse, arson, and indecent exposure.
- A case was included of a forcible rape by a 9-year-old.

Other departments and county agencies are pushing back as well. A judge in Prince George's County announced a curfew on Labor Day weekend amid a juvenile carjacking epidemic. Just two weeks ago, the Aberdeen Police Department responded to a call at Aberdeen Middle School when a 12-year-old boy was allegedly sexually assaulting multiple girls at a Valentine's Dance. The Police Department released a statement after responding to the incident saying, “The Aberdeen Police Department met with all the victims who came forward to report an assault. Due to juvenile justice reform legislation that was passed in 2022, criminal charges will not be filed. The new law prohibits Maryland police from criminally charging suspects under the age of 13. Sanctions will be handled by Harford County Public Schools.”

Parents and even the students themselves were outraged that nothing was done by the Police Department as well as the School System to hold this young man accountable. Protests have taken

place, even students from Aberdeen High School walked out to join the middle school students during one of the protests. A petition has been circulating across the country highlighting this injustice.

What problem are we trying to solve?

This bill will reinstate penalties/consequences for youth 11 and over to be heard in juvenile court (not adult court). It's important to note that juvenile court charges and sentencing are privacy protected and do not carry over into adulthood. This gives youth offenders the ability to get the tools and services they need to rehabilitate their behavior and hopefully not become adult criminals.

This is not just a local issue. In fact, the Wall Street Journal featured a piece entitled: [Juvenile Crime Surges, Reversing Long Decline. 'It's Just Kids Killing Kids.'](#) The article claimed that "Violence among children has soared across the country since 2020, a stark reversal of a decades-long decline in juvenile crime...The number of killings committed by children under 14 was the highest in two decades, according to the most recent federal data." We all know the ramifications of the COVID-19 pandemic have been excruciating and a wave of violent crime has been taking place across urban and rural areas. What no one expected was the rise in children committing violent crime, and most devastatingly against other children. There are grave concerns now that this wave in violent juvenile crime cannot just be tied to a mental health crisis, but also the removal of penalties for young people.

Young people need to know the consequences of poor decisions and actions. We frequently hear from friends, family, and neighbors of their serious concerns about juvenile delinquency. Many of our schoolteachers and administrators are distressed about escalating bad student behaviors and frustrated by the lack of tools to address anti-social behaviors and protect students.

The counter argument to this measure is that young people's brains are not yet fully developed and do not understand the gravity of their actions. However, during moments like these, teachable moments, young people need exactly what a consequence does – teaches them to not commit that crime again. In an effort curb these anti-social behaviors that victimize others, I urge a favorable report to reinstate penalties.

Please vote in favor of HB698